IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 21803 of 2005(U)

PETITIONER:

PHILIP MATHASSERIL,
S/O.THOMAS, PALAVAYAL,
KASARAGODE DT.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS:

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1. THE JOINT REGISTRAR, CO-OPERATIVE SOCIETIES, KASARAGODE.

2. THE ASST. REGISTRAR/CUM SALE OFFICER OF CO-OPERATIVE SOCIETIES (G), HOSDURG, KASARAGODE.

3. EAST ELERI SERVICE CO-OPERATIVE BANK LTD., KASARAGODE REPRESENTED BY ITS SECRETARY.

R1 AND R2 BY G.P. SMT. R. BINDU
R3 BY ADV. SRI.T.K.VIPINDAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE SALE NOTICE DATED 25.6.2005

EXT.P2 TRUE COPY OF THE REPLY OF THE PETITIONER DATED 6.7.2005

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 21803 OF 2005

Dated this the 1st day of March, 2007

JUDGMENT

Petitioner is challenging revenue recovery proceedings for recovery of arrears of loan and interest due to third respondent-society. Counsel for the third respondent submitted that arrears in 2005 itself was above Rs. 4.5 lakhs. However, counsel for the petitioner submitted that subsequent to filing of the W.P. Government has granted incentives to farmers to discharge loan availed for agricultural purposes. In the circumstances W.P. is disposed of directing third respondent to permit the petitioner to settle liability in accordance with the settlement scheme available under government orders. However, if petitioner does not settle liability after grant of incentives, respondents can proceed for recovery.

(C.N.RAMACHANDRAN NAIR)
Judge